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Date: June 22, 2004
To: Examiner C. Chin (Group Art Unit 1641)
United States Patent and Trademark Office
Facsimile No. 1-703-872-9302
From: Gary R. Fabian, Reg. No. 33,875 *Gary R. Fabian*
Re: Serial No. 10/626,896 (Our Ref. 0235.06)
Message: Attached are an Amendment Transmittal Letter; a Second Preliminary Amendment, a Supplemental Information Disclosure Statement, Form 1449, and five (5) non-patent references for the above-referenced application. We request that the attached documents be entered and made of record.

**THE ATTACHED DOCUMENTS ARE TO BE
MADE OF OFFICIAL RECORD**

Total number of pages, including this cover sheet: 67

WARNING: This facsimile message and accompanying documents are intended only for the use of the addressee indicated above. Information that is privileged or otherwise confidential may be contained therein. If you are not the intended recipient, you are hereby notified that any dissemination, copying, review or use of the above message or the accompanying documents is strictly prohibited. If you have received this message in error, please notify us immediately by telephone or facsimile, and mail the original to us at the above address. Thank you.

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JUN. 22. 2004 12:35PM

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JUN 22 2004

Cygnus Docket 0235.06

Serial No: 10/626,896

PATENT

CERTIFICATE OF FACSIMILE TRANSMITTAL

I hereby certify that this correspondence is being faxed to the United States Patent and Trademark Office at 1-703-872-9302 on the date indicated below and addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 22, 2004
Date

Barbara Nolan
Signature

OFFICIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Timothy C. DUNN, et al.

Examiner:

C. Chin

Serial Number: 10/626,896

Filed: July 24, 2003

Group Art Unit:
1641

For: METHOD AND DEVICE FOR PREDICTING
PHYSIOLOGICAL VALUES

AMENDMENT TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is a Second Preliminary Amendment in the above-identified patent application.

The fee has been calculated and is transmitted as shown below.

X Also enclosed:
Supplemental Information Disclosure Statement, modified form 1449, and
copies of five (5) cited non-patent references.

Cygnus Docket 0235.06
 Serial No: 10/626,896
 PATENT

No. of Claims After Amendment			Most Claims Previously Paid		Extra Claims			Additional Fee	
A. Total Claims	28	-	20	=	8	x	\$18	=	144.00
B. Ind. Claims	6	-	3	=	3	x	\$86	=	258.00
C. If amended to contain multiple dependent claims, add 270							\$290	=	0.00
D. Total Amendment Fee (Total of A, B & C)								=	0.00
E. If small entity, 50% reduction of Total Amendment Fee (50% of D)								=	0.00
F. Total Amendment Fee (D minus E)								=	\$402.00

_____ A check for \$ 0 to cover the [extension of time fee and extra claims fee] is attached.

 X Charge \$402.00 to Deposit Account No. 03-4058.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 03-4058. This is not, however, authorization to pay the issue fee.

Respectfully submitted,
 Cygnus, Inc.

Dated: 22 June 2004

By :

Gary R. Fabian
 Gary R. Fabian, Ph.D.
 Registration No. 33,875
 Agent for Applicants

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Atty Dkt No.0235.06
USSN: 10/626,896
PATENT

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<u>June 22, 2004</u> Date	<u>Barbara Nelson</u> Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In Re Application of: Dunn, T.C., et al.	
Serial No.: 10/626,896	Art Unit: 1641
Filing Date: 24 July 2003	Examiner: C. Chin
Title: METHOD AND DEVICE FOR PREDICTING PHYSIOLOGICAL VALUES	

SECOND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request the entry of the following second preliminary amendment prior to examination of the above-identified patent application. A transmittal letter accompanies this paper authorizing the Commissioner to charge Deposit Account No. 03-4058 for additional claim fees. No further fees are believed to be necessary, however, the Commissioner is hereby authorized to charge to Deposit Account No. 03-4058 any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 which may be required by this paper, with the exception of the payment of the Issue Fee. Consideration of the application in view of the following amendments and remarks is respectfully requested.

Applicants submit that the present amendment conforms to the revised amendment format requirements. If there are any problems with the format of applicants' amendment, the Examiner is respectfully requested to contact the undersigned.